IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 8343 OF 2005

Dr. Rajendra N. Thakar ...Applicant
Versus
State of Maharashtra ...Respondent

Mr.M.K.Kochanekar i/b Rajeev Sawant
& Associates for the Applicant.
Mrs.S.D.Shinde, A.P.P for Respondent.

CORAM : S.C. DHARMADHIKARI, J.
DATE : DECEMBER 22, 2005.

P.C.:

1. Perused the application and annexures thereto, including the statement of the brother of the deceased.

2. This is a unfortunate case, where the wife of the applicant committed suicide. The statement of the brother of the deceased records that the applicant and the deceased were married in the year, 1985 and their first child died in tragic circumstances. The second son is also mentally unsound and slow learner. Prima-facie, it appears that the circumstances including one narrated herein are responsible for the deceased committing the suicide. The applicant in para No.21 of this application has averred that the complainant - Abhay, the brother of the deceased, was

present before the Sessions Court during the Course of the hearing of the bail application filed by the present applicant and submitted that in anger and frustration upon the death of the deceased he lodged the instant complaint.

3. The applicant has to look after son and daughter, one of them is mentally challenged. In these circumstances, following order :

i) In the event of the arrest of the applicant in connection with C.R.No.746/2005, registered with Oshiwara Police Station, Mumbai, the applicant shall be enlarged on bail in the sum of Rs.10,000/- with one/two sureties in the like amount.

ii) Applicant shall attend Oshiwara Police Station once a week.

iii) Bail is granted subject to the condition that applicant shall not directly make any inducement, threat or promise to any person acquainted with the facts of accusation against him so as to dissuade him from disclosing such facts to the Court or to the police officer/investigating agency.

Applicant shall not tamper with the prosecution evidence.

iv) Any observation made in this order shall not be construed as any finding or any expression of opinion on the merits of the case at the time of trial.

v) This order will enure to the benefit of the applicant only till charge sheet is filed. Thereafter he will be free to apply to the appropriate court for appropriate relief.

vi) Application disposed of in above terms.

vii) The parties to act upon an authenticated copy of this order.

(S.C.DHARMADHIKARI,J.)